UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW YORK

JUDGMENT IN A CIVIL CASE

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vs. CASE NUMBER: 5:06-CV-617 (GTS/GHL)

VERIZON, f/k/a Bell Atlantic North

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

That Plaintiff's Motion to Amend is denied, it is further Ordered that Defendant's Motion for Summary Judgment is granted in its entirety and it is further Ordered that Plaintiff's Cross Motion for Summary Judgment is denied.

All of the above pursuant to the order of the Honorable Judge Glenn T. Suddaby, dated the 15th day of October, 2009.

DATED: October 15, 2009

s/

Joanne Bleskoski Deputy Clerk

Clerk of Court